

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cr-00312-RJC-DSC

USA

v.

RICHARD WYATT DAVIS JR.

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ORDER

THIS MATTER is before the Court upon the third supplement, (Doc. No. 104), to the defendant's Motion for Compassionate Release, (Doc. No. 90).

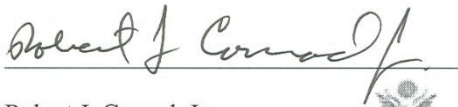
The defendant is currently serving his sentence for multi-million dollar securities fraud and tax evasion through home confinement in Florida under the CARES Act. (Doc. No. 104: Supplement at 2). The Bureau of Prisons (BOP) previously approved a furlough to visit his terminally ill grandfather in North Carolina in January 2023. (Id.). Unfortunately, the defendant's grandfather passed away recently, and the BOP has not yet approved another furlough to attend the funeral on June 29, 2023. (Id.). In lieu of a decision by the BOP, the defendant requests that the Court reduce his sentence, place him on community supervision, and allow him to travel to North Carolina for the funeral. (Id.).

While the Court sympathizes with the defendant's loss, the Court declines to exercise its discretion to find that his desire to attend the funeral is an extraordinary and compelling reason to reduce his sentence. Serving a sentence for a serious criminal offense necessarily involves missing significant events, including

funerals, in which an inmate would want to participate. Such circumstances are, therefore, not extraordinary and compelling, as they affect many, if not most, inmates.

IT IS, THEREFORE, ORDERED that the defendant's request for a sentence reduction to attend his grandfather's funeral is **DENIED**. The Court will address his other arguments for compassionate release by separate order.

Signed: June 27, 2023


Robert J. Conrad, Jr.
United States District Judge

